



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/603,497	02/20/96	MORINI	US-12001+2+3

15M2/0502

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EXAMINER
SMITH, E

ART UNIT	PAPER NUMBER
1505	10

05/02/97

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 2-10-97
2-24-97 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s). _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-40 are pending in the application.
Of the above, claims 30-40 are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☒ Claims 7, 21 are allowed.
4. ☒ Claims 1-6, 8-20, 22-29 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☒ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☒ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit 1505

15. The restriction requirement is made FINAL since applicants have not challenged the distinctness of the inventions.

16. Claims 1-6, 8-20 and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Albizzati et al. (492), Albizzati et al. (213) and Barbe et al. all together or all in view of Denko.

Applicants' arguments filed February 24, 1997 have been fully considered but they are not deemed to be persuasive.

Contrary to applicants' arguments, the teaching by Albizzati et al. (213) that the "ethers . . . contain at least two or more ether groups . . . and at least one double bond" (column 2, lines 3-8) along with the teaching that the 2-position can contain a hydrocarbon radical (lines 54-60) generically teaches that the hydrocarbon ring at the 2-position may have two or more unsaturations. From this teaching it would be obvious to use the unsaturated analogs of the Albizzati et al. (492) and Barbe et al. diethers containing saturated cyclic groups originating from the 2-position.

The analogous 1,1-diethers of Denko also make the compounds obvious from the Albizzati et al. (213) disclosure.

17. **THIS ACTION IS MADE FINAL.** Applicants are reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a). The practice of automatically extending the

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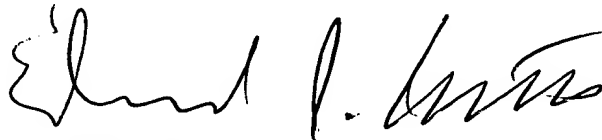
shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

EJSmith:cdc

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April 30, 1997



EDWARD J. SMITH
PRIMARY EXAMINE
ART UNIT 1505